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U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

ORIGINAL

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Sulfur-Tech Water Systems, Inc.,)	Case No. 3:00CV7365
Plaintiff,)	Hon. James G. Carr
v.)	PLAINTIFF'S ANSWER
Larry and Sandra Kohlenberg,)	TO COUNTERCLAIM
d/b/a LWC, Ltd.,)	Michael S. Scalzo (0015856)
Defendants.)	Donald A. Schurr (0042200)
)	MARSHALL & MELHORN
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)	<u>schurr@marshall-melhorn.com</u>
)	Attorneys for Plaintiff
)	Sulfur-Tech Water Systems, Inc.

Now comes plaintiff Sulfur-Tech Water Systems, Inc., and as its Answer to the Counterclaim filed herein states as follows:

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1. Sulfur-Tech is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 1.

2. Sulfur-Tech is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 2.

3. Sulfur-Tech denies the allegations of paragraph 3.

4. Sulfur-Tech denies the allegations of paragraph 4.

5. Sulfur-Tech denies the allegations of paragraph 5.

6. Sulfur-Tech denies the allegations of paragraph 6.

7. Sulfur-Tech denies the allegations of paragraph 7.

8. Sulfur-Tech denies the allegations of paragraph 8.

9. Sulfur-Tech denies the allegations of paragraph 9.

10. Sulfur-Tech denies the allegations of paragraph 10.

11. Sulfur-Tech denies the allegations of paragraph 11.

12. Sulfur-Tech is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 12.

AS TO FIRST CLAIM FOR RELIEF

13. Sulfur-Tech repeats and realleges each of its answers to paragraph 1 through 12 as if fully rewritten herein.

14. Sulfur-Tech denies the allegations of paragraph 14.

15. Sulfur-Tech denies the allegations of paragraph 15.

AS TO SECOND CLAIM FOR RELIEF

16. Sulfur-Tech repeats and realleges each of its Answers to paragraphs 1 through 15 as if fully rewritten herein.

17. Sulfur-Tech denies the allegations of paragraph 17.

18. Sulfur-Tech denies the allegations of paragraph 18.

AS TO THIRD CLAIM FOR RELIEF

19. Sulfur-Tech repeats and realleges each of its answers to paragraphs 1 through 18 as if fully rewritten herein.

20. Sulfur-Tech denies the allegations of paragraph 20.

21. Sulfur-Tech denies the allegations of paragraph 21.

FIRST AFFIRMATIVE DEFENSE

22. The Counterclaim fails to state a cause of action or claim upon which relief can be granted.

WHEREFORE, Sulfur-Tech Water Systems, Inc. prays that the Counterclaim be dismissed with prejudice and that it be allowed to recover its costs and attorneys' fees in connection with this proceeding.

Respectfully submitted,

MICHAEL S. SCALZO (0015856)
DONALD A. SCHURR (0042200)

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By 
Attorneys for Plaintiff
Sulfur-Tech Waters Systems, Inc.

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was sent via regular U. S. Mail, postage prepaid, to W. David Arnold, Esq., Nathan & Roberts, Ltd., 1822 Cherry Street, Toledo, Ohio 43608 and David D. Murray, Esq., Brinks, Hofer, Gilson & Lione, 1000 Victors Way, Suite 100, Ann Arbor, Michigan 48108-2744 on this ~~24th~~ day of August, 2000.

A handwritten signature in black ink, appearing to read "Michael Healy", is written over a horizontal line.